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Ukraine has been waging war on corruption. A U.S. president encouraging a 'favor' could undermine these reforms.

The Trump-Zelensky phone call has a number of broad international implications.

By Jordan Gans-Morse

September 30, 2019 at 6:23 a.m. EDT

The impeachment inquiry kicked off last week regarding President Trump's July 25 phone call with Ukrainian President Volodymyr Zelensky. The allegation that Trump pressured Zelensky to investigate Joe Biden — Trump's potential challenger in the 2020 presidential race — will do more than shake up U.S. politics.

There are also broad international implications. <u>Early investigations</u> into this matter suggest Trump has used the weight of the U.S. presidency — and possibly the leverage of U.S. financial and military aid — to encourage politicization of the Ukrainian justice system.

Ukraine, a medium-size country located on the geopolitical fault line between a resurgent Russia and the West, is a vulnerable U.S. ally that is taking strides to overcome a long history of endemic corruption. Claims that the U.S. president asked a foreign power to break U.S. laws and intervene in the 2020 presidential election could do significant harm both to Ukraine's anti-corruption movement and to U.S. international credibility as a defender of the rule of law.

Ukraine has been waging a war on corruption

Anti-corruption reformers in Ukraine have faced considerable obstacles to enacting real change since the 2014 Euromaidan Revolution. My interviews in 2016 and 2017 with Ukrainian activists and government officials provide insights into the anti-corruption movement that emerged. This research suggests that just two years after the revolution, an initially energized movement already had lost steam.

For example, leading reformers who left better-paying private-sector jobs to work in government had abandoned public service — or been pushed out by politicians or bureaucrats resistant to change. New institutions such as the <u>National Anti-Corruption Bureau of Ukraine</u> found their efforts stymied by an unreformed prosecutorial apparatus and only partially reformed court system. Bribery remained a systemic problem, with more than 1 in 3 Ukrainians <u>reporting in 2016</u> they had paid a bribe in the previous year.

But April 2019 witnessed another political upheaval in Ukraine. A political neophyte, comedian Volodymyr Zelensky — running on a platform defined by little other than the popularity of a TV show in which his character, a schoolteacher, is elected president after an anti-corruption screed captured on a student's smartphone goes viral — defeated incumbent President Petro Poroshenko with a resounding 73 percent of the vote.

Life had imitated art. Snap parliamentary elections in July produced a <u>single-party</u> majority for Zelensky's party — the first time in Ukraine's post-Soviet history that a ruling party did not need a coalition to form a government — giving Zelensky an unprecedented mandate for change.

In recent months, Zelensky has achieved notable successes in the fight against corruption. A long-delayed <u>High Anti-Corruption Court</u> of Ukraine, a critical complement to the National Anti-Corruption Bureau, commenced work in early September. Ruslan Ryaboshapka, the newly appointed prosecutor general, comes to the position with far stronger anti-corruption credentials than his predecessors. Among other qualifications, he recently played a role in promoting <u>legislation</u> to protect whistleblowers who expose corrupt public officials.

Meanwhile, members of parliament recently fulfilled one of Zelensky's <u>campaign</u> <u>pledges</u> by voting to strip themselves of immunity from prosecution, a privilege that had long facilitated corrupt activity. And Zelensky and his political party have submitted dozens of additional anti-corruption bills to parliament.

To be sure, questions remain about whether Zelensky is a bona fide corruption fighter. From the start of his campaign, Zelensky has faced media scrutiny over his ties to the Ukrainian oligarch Ihor Kolomoisky, the owner of the TV station that aired Zelensky's sitcom. And even if Zelensky's reformer image proves to be genuine, the challenges he faces are immense. Beyond his war on corruption, he faces a literal war with Russian-backed separatists in eastern Ukraine.

The Trump phone call puts Ukraine in the spotlight

Trump's phone call is likely to make Zelensky's challenging situation even more difficult. By asking Zelensky to direct Ukraine's justice system for the purpose of Trump's political gain, Trump appears to have engaged in the type of behavior the United States, <u>European Union</u> and international organizations such as the International Monetary Fund have long implored Ukraine to avoid.

A U.S. president encouraging corruption in Ukraine, in turn, would directly undermine the reforms that the U.S. government has spent billions of dollars in foreign aid to promote. And forcing Zelensky to choose between pleasing a U.S. president and acting in contradiction to the anti-corruption campaign pledges that brought him to power risks tarnishing Zelensky's reformist credentials.

The U.S. also pays a price

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Building a nation's credibility as a promoter of the rule of law is a long, difficult process. U.S. presidents face tough choices, and sometimes geopolitical necessities hinder the pursuit of U.S. ideals.

Even when humanitarian ideals motivate foreign policy decisions, countries like Russia masterfully find ways to brand U.S. leaders as hypocrites. For example, Russia has repeatedly <u>cited</u> the U.S. role in the 1999 NATO intervention in Kosovo both to justify its own intervention in Georgia and to undermine the U.S. image as a law-abiding member of the international community.

But the Trump-Zelensky phone call will make it unusually easy for rivals to question America's rule-of-law credentials. U.S. adversaries might simply point to the rough transcript of this call to rationalize their own meddling in other countries' elections or to make their case that behind the scenes, U.S. leaders act just like the corrupt oligarchs or dictators that in public they have traditionally condemned.

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Jordan Gans-Morse is an associate professor of political science at Northwestern University. He is the author of <u>Property Rights in Post-Soviet Russia: Violence, Corruption, and Demand for Law</u> (Cambridge University Press, 2017) and was a 2016-2017 Fulbright Scholar in Ukraine.